

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**MOTION FOR LEAVE TO FILE REPLIES**  
**TO GOVERNMENT'S OPPOSITIONS TO DISCOVERY MOTIONS**  
**AND TO ENLARGE TIME FOR FILING**

Defendant, Dzhokhar Tsarnaev, by and through counsel, hereby moves that this Court grant leave to file replies to the government's opposition to discovery motions and enlarge the time for filing.

Defendant filed three discovery motions on March 28. DE 231, 232, 233. , The government filed its responses on April 11. DE 243, 246. The Government’s Opposition to Defendant’s Motions to Compel (DE 243) promises to produce a number of items “shortly”. *Id.* at 8 (MIT police reports); 8-9 (various documents relating to Watertown shootout and manhunt); 22 (FBI interviews of Tamerlan Tsarnaev). It also states that it will provide the immigration files for Anzor and Tamerlan Tsarnaev, and some of the statements made by Ibragim Todashev to the FBI. *Id.* at 22, 23.

Defendant seeks leave to file replies to the government's oppositions, in order to respond to the arguments raised therein. Defendant also requests that the deadline for filing this reply be set no earlier than 10 days after the government provides the additional discovery identified in its response, in order to give the defense time to review the material provided and narrow the issues presented to the Court.<sup>1</sup> In addition,

<sup>1</sup> For example, the government says that the request for MIT reports is “moot” because the government “will produce them shortly.” Govt. Opp to Motion to Compel, DE 243 at 8. But the

defense counsel need additional time to review recent disclosures by a Congressional committee and a Florida state prosecutor relating, respectively, to information known to government agencies regarding Tamerlan Tsarnaev's activities and interests, and the circumstances leading up to and surrounding the fatal shooting of Ibragim Todashev. The information contained in these reports - which the defense team has not yet had time to thoroughly digest – is likely to strengthen the defendant's showing regarding the need for disclosures regarding these matters.

Undersigned counsel attempted to contact prosecutors on April 15 to ascertain their position on this motion, but did not receive a response.

Dated: April 15, 2014

Respectfully Submitted,  
DZHOKHAR TSARNAEV  
By his attorneys

/s/ Miriam Conrad

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defense is in no position to state that the request is moot unless and until it has a chance to review the reports and determine whether they satisfy the request.

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**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 15, 2014.

/s/ *Miriam Conrad*